

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AW, a Minor,
By His Next Friend and Mother
AMANDA WILLIAMS,

Plaintiff,

Case No.

v.

Hon.
U.S. District Judge

LAKELAND REGIONAL HEALTH SYSTEM,
LAKELAND REGIONAL MEDICAL CENTER,
LAKELAND HOSPITAL AT NILES AND
ST. JOSEPH, INC., LAKELAND MEDICAL
PRACTICES, INTERCARE COMMUNITY
HEALTH NETWORK, TRACY M. ANDERSON,
C.N.M., MELISSA HOLDERREAD, C.N.M.,
JOHN L. BARD, M.D., DESIRE M. HURST-
ANDERSON, M.D.,

Defendants.

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NOTICE OF REMOVAL

Defendant United States of America, by and through its attorneys, Andrew Byerly Birge, Acting United States Attorney for the Western District of Michigan, and Carolyn A. Almassian, Assistant United States Attorney, files this Notice of Removal of the instant case from Berrien County Circuit Court, State of Michigan, for the following reasons:

1. The instant case was originally filed in the Berrien County Circuit Court for the County of Berrien, State of Michigan, on or about August 4, 2017. It is designated as Case No. 17-000183-NH. (Plaintiff's Complaint is attached as Exhibit A.)
2. The United States received Plaintiff's Complaint on August 7, 2017.

3. This action is removable pursuant to 39 U.S.C. §409(a) and 28 U.S.C. § 1441(a) as it is a civil action commenced in a State Court against an agency of the United States.

4. This notice is filed within thirty (30) days after the U.S. Attorney's Office for the Western District of Michigan received a copy of Plaintiff's Complaint.

5. By filing this Notice of Removal, Defendant United States of America, does not waive any legal defenses in this matter but expressly reserves its right to raise any and all legal defenses in subsequent pleadings in this Court.

WHEREFORE, Defendant United States of America, represents that the removal statutes have been complied with and this case stands removed from the Berrien County Circuit Court to the United States District Court for the Western District of Michigan, Southern Division.

Respectfully Submitted,

ANDREW BYERLY BIRGE
Acting United States Attorney

Dated: September 5, 2017

/s/ Carolyn A. Almassian
CAROLYN A. ALMASSIAN
Assistant United States Attorney
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